

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No.	: 10/524,954	Confirmation No. 1071
Applicant	: David Opie et al.	
Filed	: January 30, 2006	
Title	: MEDICAL IMPLANTS	
TC/A.U.	: 3774	
Examiner	: Ann M. Schillinger	
Docket No.	: L2:00535	
Customer No.	: 71897	

TERMINAL DISCLAIMER TO OBTAIN A
DOUBLE PATENTING REJECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

2875 Michelle Drive, Suite 110
Irvine, CA 92606
August 5, 2009

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application.

Certificate Under 37 C.F.R. § 3.73(b)

LiquidMetal Technologies, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/524,954), and to Serial No. 10/523,465 by virtue of an assignment recorded on July 15, 2008 and recorded on Reel 021240, Frame 0010 with the United States Patent and Trademark Office.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title

is in the assignee, LiquidMetal Technologies, Inc., seeking to take the action set forth in this disclaimer.

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Serial No. 10/523,465. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Serial No. 10/523,465 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

In making the above disclaimer, LiquidMetal Technologies, Inc. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which may granted on U.S. Serial No. 10/523,465 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

Application No. 10/524,954

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Serial No. 10/523,465.

Fee Status

The fee, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, will be paid via credit card. The Commissioner is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 50-4407.

Respectfully submitted,

KAUTH, POMEROY, PECK & BAILEY LLP

By / John W. Peck /

John W. Peck

Registration No. 44,284

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JWP/t